



Arizona Peace Officer Standards and Training Board

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MINUTES OF THE JULY 17, 2019 MEETING OF THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD PHOENIX, ARIZONA

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on July 17, 2019, at the Little America Hotel in Flagstaff, AZ.

Members Present:

Assistant Attorney General Paul Ahler, representing Attorney General Mark Brnovich
Ms. Jamie Kelly, Public Member
Chief Tom Kelly, Apache Junction Police Department
Mr. Andrew LeFevre, Grand Canyon University
Officer Matthew Medina, Prescott Police Department
Colonel Frank Milstead, AZ Department of Public Safety
Deputy Christopher Pittmann, Maricopa County Sheriff's Office
Chief Alan Rodbell, Scottsdale Police Department
Director Charles Ryan, AZ Department of Corrections

Members Absent:

Sheriff Scott Mascher, Yavapai County Sheriff's Office, Chairman
Sheriff Mark Dannels, Cochise County Sheriff's Office

Staff in Attendance:

Matt Giordano, Executive Director
Ben Henry, Deputy Director
Dan Ciernia, Digital Media Supervisor
Marie Dryer, Program Administrator
Steve Enteman, Training Supervisor
Steve Jacobs, Compliance Specialist
Mike Orose, Compliance Specialist
Sandy Sierra, Administrative Services Officer

Assistant Attorneys General:

Seth Hargraves
Mark Brachtl

A. Call to Order

Acting Chairman Rodbell called the meeting to order at 2:00 p.m. and asked Colonel Milstead to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

Matt Giordano, Executive Director

- A plaque was presented to Lt. John Durham of the Chandler Police Department in appreciation for his excellent work and service to the AZPOST Digital Media Unit. Lt. Durham has provided exceptional aerial video through his drone piloting skills in support of a number of digital media unit training programs.

C. Executive Director's Report

Matt Giordano, Executive Director

- The CJEF funds in June were a little less than anticipated. Thanks to fiscal planning, we can absorb the loss.
- Two Board members are not present today; Sheriff Scott Mascher and Sheriff Mark Dannels. There are still two Board member vacancies (public member and jail administrator).
- We have hired a Chief Technology Officer. Dan Wilson will start Monday, July 22.
- Attended various meetings throughout the state to discuss the new Substantive Policy Statement on CBD Oil.

D. Legislative Update

Matt Giordano, Executive Director

- Starting to get prepared for the next legislative session and will monitor any bills that may possibly affect AZPOST.

E. Consent Agenda

Mr. LeFevre made a motion to accept the Consent Agenda. The motion was seconded by Colonel Milstead and passed unanimously.

The following items were approved:

1. Minutes of the Board meeting held on May 15, 2019; and
Minutes of the Board meeting held on June 19, 2019.

2. Certification Waivers:

James C. Hennelly	AZ Attorney General's Office
Timothy J. Cook	Buckeye Police Department
Christopher Cabrera	Marana Police Department
Aaron D. Moss	AZ Attorney General's Office
Jose A. Garcia	AZ Department of Transportation-ECD
Richard I. Levy	AZ Department of Corrections
Charles R. Husted	Sedona Police Department

Charles T. Stalter	Winslow Police Department
Sanders, Drew C.	Page Police Department
Benjamin Barlow	Colorado City Marshals Office
Shane M. Barnard	Colorado City Marshals Office
Frederick E. Smith	Hualapai Nation Police Department
Mark A Trygar	Gilbert Police Department
Cody M. Black	Sierra Vista Police Department
Allen C. Boyer	Gilbert Police Department
Tyler L. Tracy	Show Low Police Department

3. Consent Agreements for Voluntary Relinquishment of Peace Officer Certification. The following individuals, without admitting to any misconduct, requests the Board accept their request to permanently relinquish their Arizona peace officer certification:

Excalibur A. Rosalin	18-160	Cochise County Sheriff’s Office
Dominic P. Bethel	19-027	Navajo County Sheriff’s Office
Phillip O. Hodgkins	16-150	Surprise Police Department
Nadine Salameh	18-161	Tempe Police Department

4. Training Audit Deficiencies

Kimberly Beltran	AZ Department of Public Safety
Leah Gaines	AZ Department of Transportation - ECD
Justin Beeson	Payson Police Department

F. Report – Department of Corrections

Director Charles Ryan

Since last month’s meeting, there are currently six classes with 163 cadets in attendance. There are 1,276 vacancies statewide. 74 recruits have graduated from COTA. Two applicants participated in the waiver process. Currently there are 42,300 inmates in the state prison system.

G. Review, Discussion and Possible Action on a Department of Public Safety Petition for Waiver of the Board’s Standards/Qualifications Regarding Past Criminal Conduct for Applicant Jesus Soto-Rodriguez

Colonel Milstead recused himself from this case.

Assistant Attorney General Seth Hargraves addressed the Board regarding the Department of Public Safety’s petition for waiver of the Board’s standards/qualifications regarding past criminal conduct for Applicant Jesus Soto-Rodriguez. Applicant Soto-Rodriguez disclosed being involved in cockfighting, to include gambling on events, when he was 24 years of age. Major Damon Cecil, AZ Department of Public Safety, addressed the Board to request that the petition be granted.

Mr. Ahler (AAG) made a motion to grant the waiver of the Board’s standards/qualifications regarding past criminal conduct. Based upon the information submitted by DPS, I believe that the best interests of the law enforcement profession would be served and the public welfare and safety

would not be jeopardized by the waiver. The motion was seconded by Director Ryan and passed unanimously.

H. Review, Discussion and Possible Action on a Mohave County Sheriff's Office Petition for Waiver of the Board's Standards/Qualifications Regarding Past Criminal Conduct/Drug Activity for Applicant Laurel Holdway

Assistant Attorney General Seth Hargraves addressed the Board regarding the Mohave County Sheriff's Office petition for waiver of the Board's standards/qualifications regarding past criminal conduct/drug activity for Applicant Laurel Holdway. Applicant Holdway disclosed having sold one of her prescribed Vicodin to a peer when she was 23 years of age. Sheriff Doug Schuster, Mohave County Sheriff's Office, addressed the Board to request that the petition be granted.

Chief Kelly made a motion to grant the waiver of Board's standards/qualifications regarding past criminal conduct/drug activity. Based upon the information submitted by the Mohave County Sheriff's Office, I believe that the best interests of the law enforcement profession would be served and the public welfare and safety would not be jeopardized by the waiver. The motion was seconded by Deputy Pittmann and passed unanimously.

I. Final Action Cases:

1. 18-086 – Michelle A. Magana – Somerton Police Department

The Board considered comments from Deputy Director Ben Henry, who provided a brief overview of the case. Mr. LeFevre made a motion to accept the Findings of Fact and Conclusions of Law and revoke Ms. Magana's peace officer certification. The motion was seconded by Colonel Milstead and passed unanimously.

2. #18-157 – Carl D. Calnimptewa – Winslow Police Department

The Board considered comments from Deputy Director Ben Henry, who provided a brief overview of the case. Deputy Pittmann made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Calnimptewa's peace officer certification. The motion was seconded by Officer Medina and passed unanimously.

3. #19-014 – Michael J. Gallego – AZ Department of Public Safety

Colonel Milstead recused himself from this case. The Board considered comments from Deputy Director Ben Henry, who provided a brief overview of the case. Chief Kelly made a motion to close this case with No Action with Agency Discretion. The motion was seconded by Deputy Pittmann and passed unanimously.

4. #19-012 – Nicholas A. Nance – AZ Department of Public Safety

Colonel Milstead recused himself from this case. Mr. Ahler (AAG) made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Nance's peace officer certification. The motion was seconded by Deputy Pittmann and passed unanimously.

J. New Charging Cases:

1. #19-064 – Earlonzo D. Hogue – Chandler Police Department

The Board considered comments from Compliance Specialist Steve Jacobs, who provided a brief overview of the case. Mr. Ahler (AAG) made a motion to *Initiate Proceedings* against Mr. Hogue's peace officer certification. The motion was seconded by Chief Kelly and passed unanimously.

K. Call to the Public

No one wished to address the Board.

L. Future Agenda Items

There are no items to add.

M. Adjournment

The meeting was adjourned at 2:34 p.m.